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New Sensations, Inc.,  
a California corporation,

Plaintiff,

v.

DOES 1-1745,

Defendants.

FILED  
DEC 23 2010  
RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
MEJ

CV 10-5863

COMPLAINT FOR INJUNCTIVE  
RELIEF, DAMAGES AND PROFITS FOR  
COPYRIGHT INFRINGEMENT; AND  
DEMAND FOR JURY TRIAL

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Plaintiff New Sensations, Inc. (sometimes referred to herein as "Plaintiff") for its First Amended Complaint against Defendants Doe 1 through Doe 1745 (sometimes referred to herein collectively as "Defendants") alleges as set forth below.

#### NATURE OF THE CLAIM, JURISDICTION AND VENUE

1. This is an action for copyright infringement under the United States Copyright Act, 17 U.S.C. §§ 101 etc. Jurisdiction of this Court over this action is conferred by 28 U.S.C. § 1338(a).

2. Venue in this District is proper under 28 U.S.C. § 1331(b) and/or 28 U.S.C. § 1400(a). Although the true identity of each Defendant is unknown to the Plaintiff at this time, on information and belief, each Defendant may be found in this District, and/or the acts complained

1 of herein occurred and/or have a significant effect within this District. Therefore, venue in this  
2 Court is proper in accordance with 28 U.S.C. §§ 1391(b) and 1400(a).

3 **INTRADISTRICT ASSIGNMENT**

4 3. This is an intellectual property action and is therefore exempt from the  
5 requirements of Civil Local Rule 3-2(c).

6 **THE PARTIES**

7 4. Plaintiff New Sensations, Inc. is a corporation duly formed and existing under the  
8 laws of California, and has a principal place of business at 21345 Lassen Street, Chatsworth,  
9 California 91311.

10 5. The true names of Defendants are unknown to the Plaintiff at this time. Each  
11 Defendant is known to Plaintiff only by the Internet Protocol ("IP") address assigned to that  
12 Defendant by his, her or its Internet Service Provider on the date and at the time at which the  
13 infringing activity of each Defendant was observed. The IP address of each Defendant, together  
14 with the date and time at which his, her or its infringing activity was observed, is included on  
15 **Exhibit A** which is attached hereto. On information and belief, Plaintiff states that information  
16 obtained in discovery will lead to the identification of each Defendant's true name and address,  
17 and permit Plaintiff to amend this Complaint to state the same.

18 **COUNT I**

19 ***COPYRIGHT INFRINGEMENTS UNDER 17 U.S.C. §§ 101 ETC.***

20 6. Plaintiff repeats and reincorporates herein the allegations set forth in paragraphs  
21 1-5 above.

22 7. Plaintiff is a motion picture production company. Plaintiff is, and at all relevant  
23 times has been, the owner of the copyrights and/or the owner of the exclusive rights under the  
24 copyrights in the United States in the motion picture titled "The Office: A XXX Parody" (the  
25 "Motion Picture").

26 8. The Motion Picture is an original work that may be copyrighted under United  
27 States law. The Motion Picture is the subject of a valid Certificate of Registration issued by the  
28 United States Copyright Office, that is Copyright Registration No. PA 1-659-574 (also listed in

1       United States Copyright Office records as Registration Number PA0001659574), dated  
2       July 31, 2009, and Plaintiff owns that registration.. The title of the Motion Picture and its  
3       copyright registration number are included in **Exhibit A**.

4           9. Plaintiff has either published or licensed for publication all copies of the Motion  
5       Picture in compliance with the copyright laws.

6           10. **Exhibit A** identifies, on a Defendant-by-Defendant basis (one Defendant per  
7       row), the copyrighted motion picture, and the registration number of the copyright for that  
8       motion picture, that each Defendant has, without the permission or consent of the Plaintiff,  
9       reproduced and distributed to the public. That is, each Defendant listed in **Exhibit A** has,  
10      without permission or consent of Plaintiff, reproduced and distributed to the public at least a  
11      substantial portion of Plaintiff's copyrighted work that is listed in the same row as the identifier  
12      for that Defendant (i.e., Plaintiff's copyrighted Motion Picture). **Exhibit A** also sets out the  
13      Internet Protocol ("IP") address associated with each Defendant, the identity of the Internet  
14      Service Provider (often referred to as an "ISP") associated with the IP address, the last-observed  
15      date and time ("Timestamp") that the infringement by that Defendant of Plaintiff's copyright in  
16      the Motion Picture was observed, and the software protocol used by the Defendant. Further in  
17      this regard, Plaintiff is informed and believes that each of the Defendants, without the permission  
18      or consent of Plaintiff, has used, and continues to use, an online media distribution system  
19      (sometimes referred to as a "peer to peer" network or a "P2P" network) to reproduce at least one  
20      copy of the Motion Picture, and to distribute to the public, including by making available for  
21      distribution to others, copies of the Motion Picture. In doing so, each Defendant has violated,  
22      and continues to violate, Plaintiff's exclusive rights of reproduction and distribution under . Each  
23      Defendant's actions constitute infringement of the Plaintiff's exclusive rights in the Motion  
24      Picture protected under the Copyright Act of 1976 (17 U.S.C. § 101 et seq.), including under 17  
25      U.S.C. § 106(1) and (3). Each Defendant has infringed Plaintiff's copyrights in the motion  
26      picture titled "The Office: A XXX Parody," which is the subject of Plaintiff's Copyright  
27      Registration No. PA 1-659-574.

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11. Each Defendant has acted in cooperation with the other Defendants by agreeing to provide, and actually providing, on a P2P network an infringing reproduction of at least substantial portions of Plaintiff's copyrighted Motion Picture, in anticipation of the other Defendants doing likewise with respect to that work and/or other works.

12. Each of the Defendant's acts of infringement have been willful, intentional, and in disregard of and with indifference to the rights of Plaintiff.

13. Plaintiff has suffered both money damages and irreparable harm as a result of each Defendant's infringement of Plaintiff's copyrights in the Motion Picture. In addition, discovery may disclose that one or more of the Defendants obtained profits as a result of such infringement.

14. As a result of each Defendant's infringement of Plaintiff's exclusive rights under copyright, Plaintiff is entitled to relief pursuant to 17 U.S.C. § 504, and to its attorneys' fees and costs pursuant to 17 U.S.C. § 505.

15. The conduct of each Defendant is causing and, unless enjoined and restrained by this Court will continue to cause, Plaintiff great and irreparable injury that cannot fully be compensated or measured in money. Plaintiff has no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and 503, the Plaintiff is entitled to injunctive relief prohibiting each Defendant from further infringing Plaintiff's copyrights and ordering that each Defendant destroy all copies of the copyrighted motion pictures made in violation of the Plaintiffs' copyrights.

**RELIEF REQUESTED**

WHEREFORE, Plaintiff requests that the Court enter judgment against each Defendant as follows:

A. For a judgment that such Defendant has infringed Plaintiff's copyright in the Motion Picture;

B. For entry of preliminary and permanent injunctions providing that such Defendant shall be enjoined from directly or indirectly infringing the Plaintiffs' rights in the Motion Picture, including without limitation by using the Internet to reproduce or copy the Motion Picture, to distribute the Motion Picture, or to make the Motion Picture available for

1 distribution to anyone, except pursuant to a lawful license or with the express authority of  
2 Plaintiffs;

3 C. For entry of preliminary and permanent mandatory injunctions providing that  
4 such Defendant shall destroy all copies of the Motion Picture that Defendant has downloaded  
5 onto any computer hard drive or server without Plaintiff's authorization and shall destroy all  
6 copies of the Motion Picture transferred onto any physical medium or device in Defendant's  
7 possession, custody, or control;

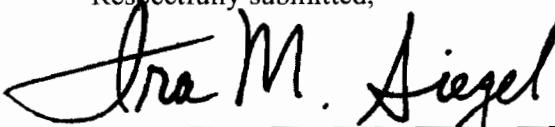
8 D. For entry of judgment that such Defendant shall pay actual damages and profits,  
9 or statutory damages, pursuant to 17 U.S.C. § 504, at the election of Plaintiff;

10 E. For entry of judgment that such Defendant shall pay Plaintiff's costs;

11 F. For entry of judgment that such Defendant shall pay Plaintiff's reasonable  
12 attorney fees; and

13 G. For entry of judgment that Plaintiff have such other relief as justice may require  
14 and/or as otherwise deemed just and proper by this Court.

15 Respectfully submitted,

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17 Date: December 22, 2010

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26 Attorney for Plaintiff New Sensations, Inc.  
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## JURY DEMAND

Plaintiff hereby demands trial by jury on all issues so triable.

Respectfully submitted,

Date: December 22, 2010

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